IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT:
THE HON'BLE SMT JUSTICE T.MEENA KUMARI

WRIT PETITION NO :25472 of 1997

DATED:12.9.2007

Between:
K.Solai & others

..... PETITIONERs

AND
The Executive Officer, T.T.D, Tirumala Hills.

.....RESPONDENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

WRIT PETITION NO:25472 OF 1997

ORDER:

The petitioners have filed the present writ petition seeking to declare the action of the respondent in not allowing them to draw the pay scale attached to the posts of skilled workers without ITI qualification as illegal and arbitrary and consequently, direct the respondent to allow them to draw the pay scale attached to the posts of skilled workers without ITI qualification.

The grievance of the petitioners is that in the first instance, they were appointed as Stapatis in the year 1977 and 1978 as N.M.Rs. and subsequently, they were appointed as attenders on 28.9.1984 in accordance with G.O.Ms.No:1458, Revenue Department, dated 19.9.1981 regularizing their service and they were allowed to draw the time scale of pay in the post of attender since then. But, the other qualified and skilled persons such as Carpenters, Masons etc. in the Engineering Department are paid the pay scale of Rs.1595 to 3020. Therefore, the action of the respondent in treating the petitioners as unskilled workers and allowing the pay scale to the post of attender, is not justifiable.

Heard the learned counsel.

It is contended by the learned standing counsel appearing on behalf of the respondent that since the petitioners were appointed as attenders, they are not entitled to any difference of

pay in the same category and therefore, the writ petition is devoid of merits.

However, in the facts and circumstances of the case and in view of the fact that though the petitioners were appointed as attenders, but their duties are different as that of the attenders and that too, they are rendering their services as silpis, which come under a specialized field, without expressing any opinion on the merits of the case, I feel that the respondent should have considered the payment of special allowance to the petitioners by taking into consideration the nature of the duties that are being rendered by the petitioners as silpis.

However, at this stage, it is not proper to direct the respondent to consider the payment of the special allowance. However, in the facts and circumstances of the case coupled with the nature of the duties that are being rendered by the petitioners, the petitioners are at liberty to submit a representation to the respondent within a period of two (2) Weeks from today in this regard and the respondent shall dispose of the same within a period of (2) Weeks from the date of receipt of such representation.

Subject to the above observation, this W.P is disposed of.

(JUSTICE T.MEENAKUMARI)

12th September, 2007

gurc

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

WRIT PETITION NO:25472 of 1997

12th September, 2007.